

DIANE L. KELLEY,)
)
Plaintiff,)
)
v.) No. 1:11-CV-225 CAS
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)

This matter is before the Court pursuant to the Report and Recommendation of United States Magistrate Judge David D. Noce filed December 6, 2012. See 28 U.S.C. § 636(b). The Magistrate Judge recommended that the Court grant plaintiff's request to reverse the decision of the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g), and remand the case for an award of benefits to plaintiff based upon a period of disability beginning April 19, 2008. Neither party has filed an objection to the recommendation.

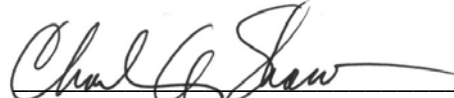
Accordingly,

IT IS FURTHER ORDERED that the decision of the Commissioner is **REVERSED**.

IT IS FURTHER ORDERED that pursuant to sentence four of 42 U.S.C. § 405(g), this

case is **REMANDED** to the Commissioner for an award of benefits to plaintiff based upon a period of disability beginning April 19, 2008.

An appropriate judgment of remand will accompany this order.



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 2nd day of January, 2013.